



1631

Patent  
Attorney Docket: 612,404-373  
(prev 264/036)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re the Application of:

DONALD E. ACKLEY et al.

Serial No.: 09/849,119

Filed: May 4, 2001

For: SYSTEMS AND METHODS FOR  
THE ACTIVE ELECTRONIC CONTROL  
OF BIOLOGICAL REACTIONS

Group Art Unit: 1631

OCT 22 2002

Examiner: A. Marschel TECH CENTER 1600/2900

## AMENDMENT TRANSMITTAL

Box Amendment  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment for the above-identified application.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)		FEE FOR SMALL ENTITY		FEE FOR OTHER THAN SMALL ENTITY
1 month	<input type="checkbox"/>	\$55.00	<input type="checkbox"/>	\$110.00
2 months	<input type="checkbox"/>	\$200.00	<input type="checkbox"/>	\$400.00
3 months	<input type="checkbox"/>	\$460.00	<input type="checkbox"/>	\$920.00
4 months	<input type="checkbox"/>	\$720.00	<input type="checkbox"/>	\$1,440.00
5 months	<input type="checkbox"/>	\$980.00	<input type="checkbox"/>	\$1,960.00

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.
- ☐ Extension fee due with this Request \_\_\_\_\_.
- ☒ No extension fee is believed due at this time. However, if the Commissioner deems otherwise, please consider this a petition therefor.

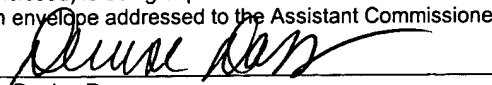
## CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

October 10, 2002

Date of Deposit

IR1:1035276.1

  
Denise Doss

**FEES FOR CLAIMS:**

☐ Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

Total Claims	53	-	55	=	0	x	\$18.00	0
Independent Claims	4	-	6	=	0	x	\$84.00	0
Multiple Dependent Claims	\$280	(if applicable)					<input type="checkbox"/>	0
<b>TOTAL OF ABOVE CALCULATIONS</b>								0
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.								0
<b>TOTAL FEES FOR CLAIMS SUBMITTED HERewith</b>								0

☐ A check in the amount of \_\_\_\_\_ is enclosed to cover the above fee(s).

☐ Charge O'Melveny & Myers' Deposit Account No. **500639** in the amount of \_\_\_\_\_.

☒ The Commissioner is authorized to charge O'Melveny & Myers' Deposit Account No. **500639** for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **500639**.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: October 10, 2002

By: 

Michael S. Davidson  
Reg. No. 43,577

DBM/dnd



34263

PATENT TRADEMARK OFFICE

O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
(949) 737-2900



Patent  
Attorney Docket: 612,404-373  
(prev 264/036)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 22 2002

TECH CENTER 1600/2900

H 4/R  
Plunkett  
10/24/02

In re the Application of:

**DONALD E. ACKLEY et al.**

Serial No.: 09/849,119

Filed: May 4, 2001

For: SYSTEMS AND METHODS FOR  
THE ACTIVE ELECTRONIC CONTROL  
OF BIOLOGICAL REACTIONS

Group Art Unit: 1631

Examiner: A. Marschel

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

**BOX AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Official Action mailed on September 16, 2002, please consider the following amendments and remarks.

**IN THE CLAIMS**

Please cancel claims 54 and 55 without prejudice.

**REMARKS**

The claims now pending in the Application are claims 1-53. Claims 54 and 55

**CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

10/10/02

Denise Doss

Name of Person Mailing Paper

Signature of Person Mailing Paper

IR1:1035240.1